



Battle Creek Historic District Commission

Staff Report

Meeting: February 13, 2012

To: Historic District Commission

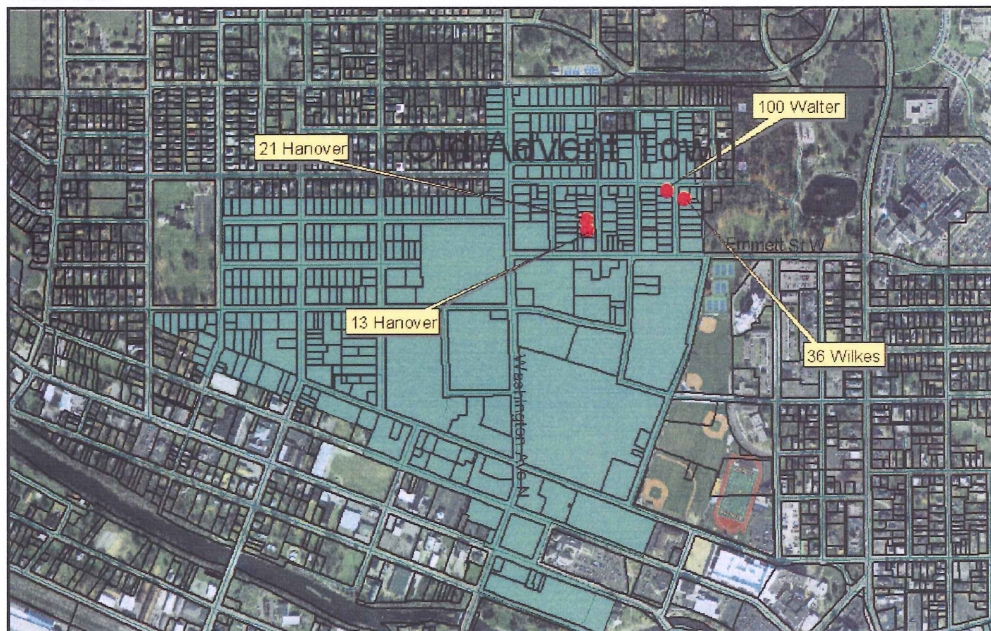
From: Glenn Perian, Senior Planner

Date: February 6, 2012

Subject: This report will cover four petitions filed by Krista Trout-Edwards, on behalf of the Calhoun County Land Bank Authority, for the issuance of Notices to Proceed from the Historic District Commission to demolish four separate properties located at 100 Walter Ave., 36 Wilkes Street, 21 Hanover Street, and 13 Hanover Street.

Site:

The following map shows the property locations within the Old Advent Town Local Historic District.



Public Notice Requirements:

Public notice has occurred as outlined under MCL Section 399.205 Section 5 (6)...*"the business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 of 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended."*

Summary of Requests

100 Walter Avenue The home at 100 Walter Ave. is a two-story building. Records indicate that the home was built in 1925 and that it has been vacant and abandoned since 2008. The property has been listed as a dangerous building since 2011. The Land Bank acquired the property in 2009 through a tax foreclosure process and the Land Bank staff has looked at the possibility to repair the structure. The State Equalized Value is approximately \$20,000.00 and the County has estimated the cost to rehab the home to be approximately \$137,307.00. Because the property is listed as a dangerous building and the cost of rehab, the Land Bank is asking for HDC for approval to demolish the structure.

36 Wilkes Street The home at 36 Wilkes is also a two-story structure. Records indicate that the home was built in 1920 and that it has been vacant and abandoned since 2009. During an evaluation of the home severe termite damage was discovered in the basement. Many of the upstairs windows are missing and the bathroom walls are extensively damaged by water. The Land Bank acquired the property in 2010 through a tax foreclosure process and the Land Bank staff has looked at the possibility to repair the structure. The State Equalized Value is approximately \$19,822.00 and the County has estimated the cost to rehab the home to be approximately \$138,590.00. The Land Bank is asking for HDC for approval to demolish the structure.

21 Hanover Street The home at 21 Hanover is a two-story structure. Records indicate that the home was built in 1920 and that it has been vacant and abandoned since 2009. The home is divided into two units and does not have appropriate fire separation between the units. The mechanical, electrical, and plumbing systems are all outdated and in need of extensive repair or replacement. Furthermore, the chimney is unsafe and the foundation is in need of repair. The Land Bank acquired the property in 2011 through a tax foreclosure process and the Land Bank staff has looked at the possibility to repair the structure. The State Equalized Value is approximately \$15,000.00 and the County has estimated the cost to rehab the home to be approximately \$90,305.00. The Land Bank is asking for HDC for approval to demolish the structure.

13 Hanover Street The home at 13 Hanover is a two-story structure. Records indicate that the home was built in 1920 and that it has been vacant and abandoned since 2009. During an evaluation of the home numerous concerns were found relating to the roof, mechanical and electrical systems, asbestos siding, both staircases, windows, and the significant settling of the rear portion of the building. The Land Bank acquired the property in 2011 through a tax foreclosure process and the Land Bank staff has looked at the possibility to repair the structure. The State Equalized Value is approximately \$15,045.00 and the County has estimated the cost to rehab the home to be approximately \$115,164.00. The Land Bank is asking for HDC for approval to demolish the structure.

Based on the condition of all the properties, the Land Bank feels all the structures meet the test for demolition, that they all constitute hazards to the public, and that the cost to repair the structures represent financial

hardships. For these reasons, the Land Bank is requesting Notices to Proceed from the Historic District Commission to demolish the structures.

Applicable HDC Guidelines:

Properties are to be reviewed in accordance with City of Battle Creek Building and Housing Code Chapter 1470 "Historic Preservation", as amended, the Michigan's Local Historic Districts Act, as amended, and the criteria for the National Register of Historic Places as outlined in the Secretary of the Interior's Standards and Guidelines.

Generally, demolition of a structure will not comply with the standards outlined in the Secretary of Interior's Standards and Guidelines. However, in the event that these standards cannot be met, the State Act and local ordinance states that a notice to proceed **shall** be issued if any **one** of the following criteria, per Ch 1470.09(e) as follows, is met:

(e) Work within an Historic District shall be permitted through the issuance of a notice to proceed by the Commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the Historic District Commission to be necessary to substantially improve or correct any of the following conditions:

(1) The resource constitutes a hazard to the safety of the public or to the structures and occupants.

(2) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community, and the applicant proposing the work has obtained all necessary planning and zoning approvals and financing and environmental clearances.

(3) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God or other event beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the Historic District, have been attempted and exhausted by the owner.

(4) Retaining the resource is not in the interests of the majority of the community.

Analysis and Recommendation:

The Calhoun County Land Bank Authority has provided Applications for a Notice to proceed to demolish the structures at 100 Walter Avenue, 36 Wilkes Street, 21 Hanover Street and 13 Hanover Street. Pictures of each of the buildings are included as part of the packet along with cost estimates from Mr. Kim Tuck to rehabilitate each of the properties. It is the opinion of the Land Bank Authority it will be nearly impossible to find a private investors to rehab the properties due to the high cost of needed repairs to each of the structures. The applicant is

expected to be in attendance at the meeting to discuss the demolition plans and answer any questions you may have.

While planning staff would prefer to see buildings rehabilitated, as outlined in the ordinance, the HDC **shall** approve a Notice to Proceed if at least **one** of the criteria has been met for the properties. It is your job to determine if the Land Bank application has met the test outlined in the ordinance for the HDC to grant a Notice to Proceed for each of the properties, as outlined in Chapter 1470 "Historic Preservation" and the Michigan Local Historic Districts.

Planning staff is recommending that a Notice to Proceed be issued to the Land Bank Authority for the demolitions of the buildings at 100 Walter Avenue, 36 Wilkes Street, 21 Hanover Street, and 13 Hanover Street in that each of the request meets standards (1) and (3) outlined in Chapter 1470.09(e) "Review of Applications" because as documented in their applications, retaining the structures will cause undue financial hardship to the property owner and the buildings have been vacant for years.



HISTORIC DISTRICT COMMISSION

City of Battle Creek, Planning and Community Development Department
Commerce Pointe Bldg., 77 East Michigan Avenue, Ste. 204
Battle Creek, Michigan 49017

Phone: (269) 966-3320 Fax: (269) 966-3529

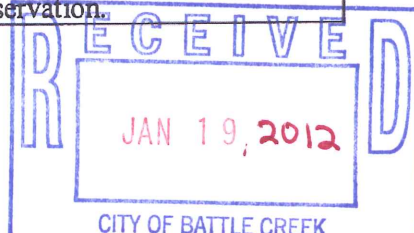
APPLICATION FOR DETERMINATION OF APPROPRIATENESS

Date: 1/18/12 Applicant/Contact Name: Krista Trout-Edwards
Phone #: 269-781-0859 Property Owner: Calhoun County Land Bank
Property Address: 100 Walter Avenue
Address for Correspondence (If different from property address): 315 W. Green St, Marshall
Applicants Role: Owner ☒ Architect ☐ Contractor ☐ Other: ☐
HUD Funded: Yes ☒ No ☐ In a Historic District: Yes ☒ No ☐
On or before date of completion of proposed work, the building will have a code compliant smoke detector or fire alarm system? Yes ☐ No ☒
DESCRIPTION OF PROJECT:

Demolition of house as well as leveling, grading and re-seeding the lot.

Instructions:

- The Commission will not consider an application with inadequate or unclear information. Review your application with City staff in advance to be sure it is complete.
- The property owner or person authorized to act on the owner's behalf must attend the Historic District Commission (HDC) meeting when this application is considered. If an authorized representative will be attending a letter of authorization must be included with this application.
- Provide drawings that explain what is proposed. Elevations are required for all projects. Include plans, site plan, details, specifications, and product information as needed.
- ONE set of drawings on 8 1/2 x 11 paper is strongly recommended. This set will be copied and distributed in the HDC packets. For larger drawings, colored prints, or anything that cannot be copied by staff, submit 10 copies of each item.
- Indicate all dimensions. Drawings should be to scale.
- Submit one copy of the following photos: All four elevations of the building (straight on shots of all four sides of the building), a historical photo of the property (check the Willard Library 1940 picture file), and a street photo showing adjacent structures to the property.
- Provide specific information on all materials: Manufacture's names, illustrations, specifications, and samples. Material information should be submitted with this application. All samples (paint color chips, shingles, etc.) should be brought to the meeting.
- Indicate not only the immediate area of the work, but also how it relates to the building as a whole. Enlarged photocopies of photographs with the proposed changes drawn in may be helpful.
- For new construction, indicate both in plan and elevation how the project will relate to the surrounding streetscape.
- Proposed demolition should include estimates for the complete repair of the property.
- For smaller projects staff can provide information on previous HDC decisions as a guide to what may be acceptable. For complex projects such as additions, applicants are encouraged to consider seeking the advice and expertise of an architect familiar with historic preservation.



Description of Project: Demolition Request for 100 Walter Avenue

Petitioner: Calhoun County Land Bank Authority

Krista Trout-Edwards, staff contact

Location: 100 Walter Avenue

Year Built: 1925

Duration of Vacancy: 3 years

2009 SEV: \$20,012

Repair Estimate: \$137,307.22 (with an 8% contingency: \$148,291.80)

Demolition Estimate: \$7,862.00

The Calhoun County Land Bank Authority (Land Bank) is seeking permission to demolish the house located at 100 Walter Avenue using NSP2 funds. The house was built in 1925, and based on staff surveys it has been vacant since at least 2008. It is located in the Old Advent Town section of the Local Historic District, at the southwest corner the Walter Avenue and Wilkes Street, and is kitty-corner from 36 Wilkes Street. The Land Bank assumed ownership of the property in 2009 through the tax foreclosure process.

Land Bank staff asked the City of Battle Creek's Neighborhood Stabilization Program 2 (NSP2) Construction Coordinator, Kim Tuck, to conduct an evaluation of the property and to prepare a repair estimate. During the evaluation, staff found severe interior damage that included holes in both the first and second level flooring (see attached photos). Much of the inside is gutted, and the structure has been boarded since at least 2008. This corner lot is only 58.08' x 66' in size and is subject to front yard setbacks from both Wilkes Street and Walters Avenue; there is no on-site parking or garage and because of setback requirements a garage would be difficult to add. With the required setbacks, the lot's buildable area is only 28' x 16'. The City of Battle Creek code enforcement staff cited the structure as vacant and abandoned in 2008 and 2012, and as a dangerous building in 2011.

Based on Mr. Tuck's assessment, the repair estimate of this structure is \$137,307.22. This estimate far exceeds the structure's 2009 State Equalized Value (SEV) of \$20,012 (the property's 2009 true cash value was \$40,024). The **Demolition and Moving of Buildings** section of the city code states in 1454.04(e) that, *"If the estimated cost of repair exceeds the State equalized value of the building or structure to be repaired, a rebuttable presumption that the building or structure requires immediate demolition exists."* Based on this, Land Bank staff feels that the structure meets the test for demolition, that it constitutes a hazard to the public, and that the cost of repair represents a financial hardship. For these reasons, staff respectfully asks for approval of this request.

Attachments:

Elevation photos of each side of the structure

Interior photos of the structure

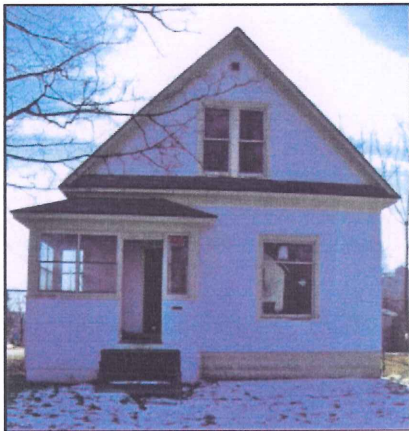
Historical photo of the subject property

Photos of surrounding properties

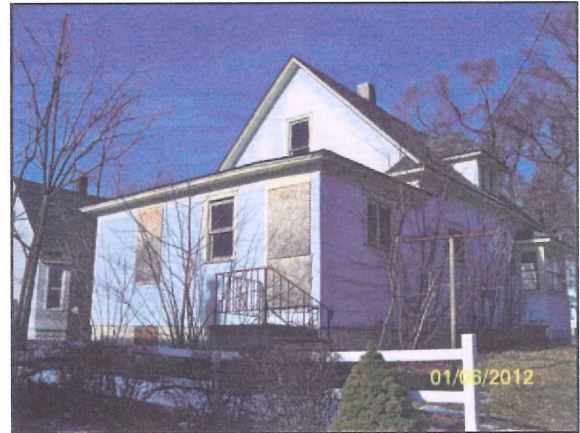
NSP2 Repair Estimate Form

NSP2 Demolition Estimate Form

Map – Proposed demolitions



Front Elevation



Rear Elevation



East Elevation



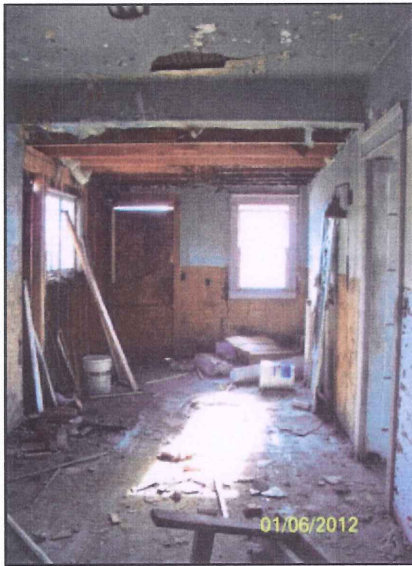
Living Room



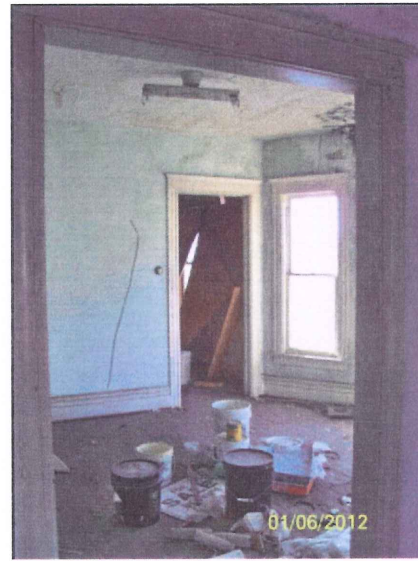
West Elevation



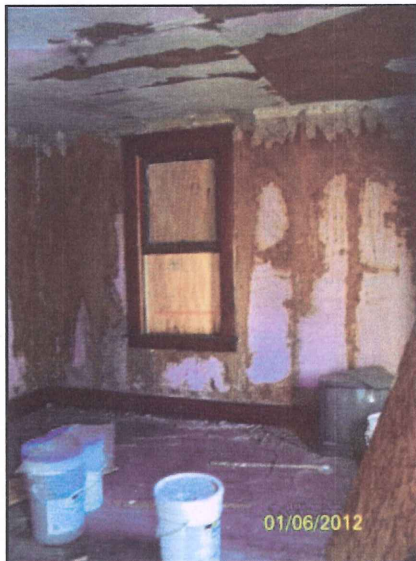
Downstairs Flooring



Kitchen



Dining Room



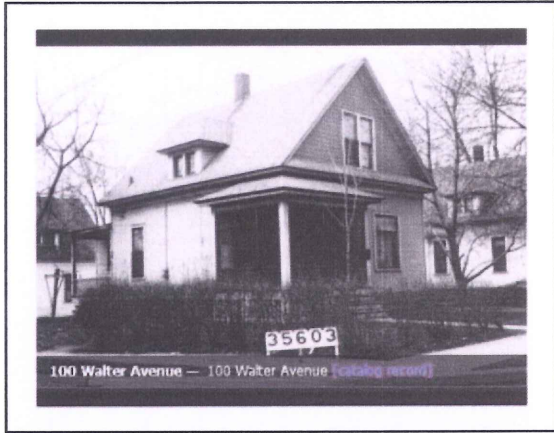
Back Room



Upstairs Room



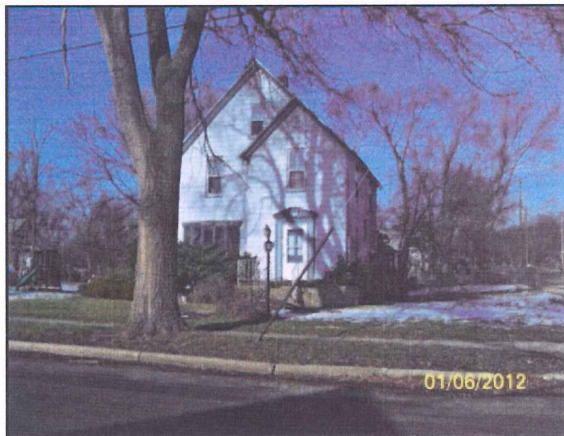
Upstairs Floor and Wall Holes



1940s Historic Photo



House(s) Adjacent to the West

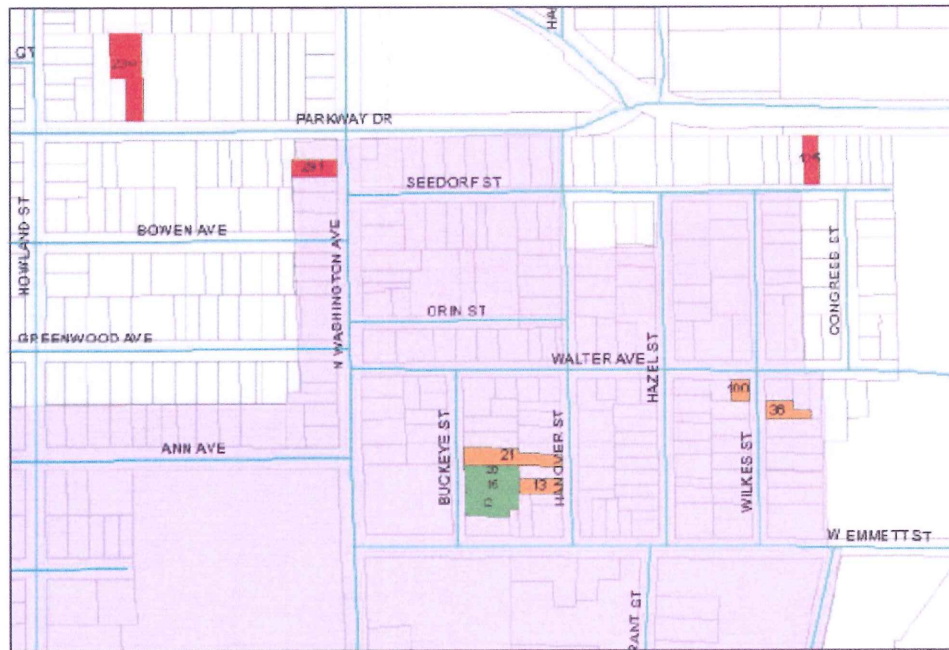


Across Walter Avenue



Across Wilkes Street

**Proposed Demolitions in the "Old Advent Town" Local Historic District
Battle Creek, MI 2012**



- Land Bank Properties under consideration for demolition
- Battle Creek Housing (20 & 16) and Habitat for Humanity (12) Houses
- NSP2 Demolitions in this area
- Local Historic District Boundary



*Source: Calhoun County & City of Battle Creek GIS data
Prepared by: Calhoun County Land Bank Authority*

NSP2 Repair Estimate Form

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Property Address:

100 WALTER AVE

PREDEVELOPMENT	Quantity	Unit Price	Total Cost
Asbestos & Lead Based Paint Testing	1	\$600.00	\$600.00
Permits and Inspections	1	\$1,600.00	\$1,600.00
Survey and Civil Engineering	1	\$400.00	\$400.00
Energy Audit and Energy Efficiency Specifications	1	\$500.00	\$500.00

SITE PREPARATION	Quantity	Unit Price	Total Cost
Demolition of Structures			\$0.00
Infrastructure Improvements			\$0.00
Lead & Asbestos Abatement	5	\$2,000.00	\$10,000.00
Dumpster Fees	6	\$500.00	\$3,000.00
Landscaping			\$0.00
Plantings	0	\$1,500.00	\$0.00
Tree Removal	0	\$1,500.00	\$0.00

CONSTRUCTION	Quantity	Unit Price	Total Cost
Demolition			\$9,392.60
Demo (general) per sq ft	2	\$2,500.00	\$5,000.00
Demo Plaster and Lath per sq ft	4724	\$0.90	\$4,251.60
Demo Carpet per sq ft	250	\$0.10	\$25.00
Demo resilient flooring per sq ft	200	\$0.58	\$116.00
Demo trim and reinstall	0	\$3.50	\$0.00
Demo Concrete wall cu ft	0	\$38.50	\$0.00
Excavation	1	\$2,500.00	\$2,500.00
Concrete			\$7,420.00
Concrete flatwork 4"	320	\$2.75	\$880.00
Basement wall repair/replacement	60	\$109.00	\$6,540.00
Basement floor drain system ln ft	0	\$55.00	\$0.00
Reinforce block wall carbon fiber 4'oc	0	\$475.00	\$0.00
Reinforce block wall steel beam 4'oc	0	\$575.00	\$0.00
Steps on grade per ln ft nose	0	\$29.00	\$0.00
Steps above grade per ln ft nose	0	\$42.50	\$0.00
Masonry	5	\$500.00	\$2,500.00
Roofing sq ft w/ tear off	0	\$400.00	\$0.00
Siding	24	\$300.00	\$7,200.00
Rough Carpentry			\$2,760.00
Walls	30	\$92.00	\$2,760.00
	0		\$0.00
HVAC	8	\$1,500.00	\$12,000.00

NSP2 Repair Estimate Form

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CONSTRUCTION (continued)		Quantity	Unit Price	Total Cost
Electrical		6	\$1,500.00	\$9,000.00
Finish Carpentry				\$9,694.00
	Casing	1200	\$3.30	\$3,960.00
	Base	800	\$3.28	\$2,624.00
	Quarter round	0	\$2.67	\$0.00
	Interior Doors and Closets	10	\$275.00	\$2,750.00
	Raised panel pine 3' bifold	0	\$275.00	\$0.00
	Raised panel pine 4'	0	\$420.00	\$0.00
	Raised panel pine 5'	0	\$495.00	\$0.00
	Raised panel pine 6'	0	\$540.00	\$0.00
	6 panel Pine passage 2'6"	0	\$251.00	\$0.00
	Closet shelf and rod Ln ft pre-finished	30	\$12.00	\$360.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Windows				\$12,500.00
	Windows avg.	25	\$500.00	\$12,500.00
				\$0.00
				\$0.00
				\$0.00
Drywall				\$6,200.25
	Drywall walls	3543	\$1.25	\$4,428.75
	Drywall ceilings	1181	\$1.50	\$1,771.50
				\$0.00
Interior Painting				\$4,538.24
	2 coats walls sq ft	4724	\$0.76	\$3,590.24
	2 coats trim sq ft	1200	\$0.79	\$948.00
Flooring				\$4,155.00
	Carpet	1000	\$3.25	\$3,250.00
	Refinish flooring	0	\$4.42	\$0.00
	Yellow pine flooring install	0	\$4.75	\$0.00
	Tile Ceramic	181	\$5.00	\$905.00
Insulation				\$5,327.13
	Fiberglass wall insulation R13 sq ft	3543	\$0.74	\$2,621.82
	InSoFast wall system	0	\$1.90	\$0.00
	Slow rise foam insulation	0	\$2.75	\$0.00
	Foam attic insulation	0	\$4.70	\$0.00
	Basement/wall insulation foam with paint	0	\$4.00	\$0.00
	Attic cellulose insulation	661	\$1.71	\$1,130.31
	Basement wall blanket insulation	700	\$2.25	\$1,575.00

NSP2 Repair Estimate Form

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Property Address:

100 WALTER AVE

CONSTRUCTION <i>(continued)</i>		Quantity	Unit Price	Total Cost
Appliances		1	\$2,980.00	\$2,980.00
Cabinets & Counter tops		16	\$300.00	\$4,800.00
Hardware and Accessories		30	\$35.00	\$1,050.00
Window Treatments		18	\$75.00	\$1,350.00
Exterior Door		2	\$575.00	\$1,150.00
Storm Door		0	\$145.00	\$0.00
Porches				\$5,720.00
	Porch reconstruction	6	\$500.00	\$3,000.00
	Deck Stair	40	\$53.00	\$2,120.00
	Deck Railing	20	\$30.00	\$600.00
				\$0.00
Fencing		0	\$1,000.00	\$0.00
Plumbing				\$8,970.00
	Toilet	1	\$1,755.00	\$1,755.00
	Sink vanity top/bowl	1	\$1,100.00	\$1,100.00
	Sink pedestal	0	\$1,973.00	\$0.00
	Sink Kitchen	1	\$1,855.00	\$1,855.00
	Shower stall 3x3	1	\$2,145.00	\$2,145.00
	Tub and enclosure	1	\$2,115.00	\$2,115.00
				\$0.00
				\$0.00
				\$0.00
Garage				\$0.00
	1 Car Garage	0	\$7,200.00	\$0.00
	1.5 Car Garage	0	\$12,500.00	\$0.00
	2 Car Garage	0	\$14,500.00	\$0.00

Total Construction Costs:

\$121,207.22

Total Construction Costs without Garage:

Total Rehab Costs:

\$137,307.22

Total Rehab Costs with 8% Contingency:

\$148,291.80

NSP2 Demolition Estimate Form

Page 1

Property Address: 100 Walter

Demolition of Structure	Quantity	Unit Price	Total Cost
Asbestos Assessment	1	\$400.00	\$400.00
Permits and Inspections	1	\$600.00	\$600.00
City Water Capping	1	\$375.00	\$375.00
Asbestos Abatement	1	\$2,000.00	\$2,000.00
Demolition of Structure	1	\$4,487.00	\$4,487.00
Total Cost of Demolition			\$7,862.00